

5-9-07

Docket No.:X2007.0147  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Yoshihiro Ohkura

Application No.: 10/736,618

Confirmation No.: 4069

Filed: December 17, 2003

Art Unit: 2814

For: SURFACE MOUNT CHIP PACKAGE

Examiner: Dilinh P. Nguyen

REQUEST FOR REFUND

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A first month of extension of was paid twice in the above-captioned application. The first extension request for one month was paid on February 21, 2007, in the amount of \$120.00, and the second extension request for three months was paid on April 16, 2007, in the amount of \$1,020.00.

Applicants hereby request a refund in the amount of \$120.00 USD to our  
Deposit Account No.: 50-2215.

Dated: May 9, 2007

Respectfully submitted,

By Joseph W. Ragusa  
Joseph W. Ragusa  
Registration No.: 38,586  
DICKSTEIN SHAPIRO LLP  
1177 Avenue of the Americas  
41st Floor  
New York, New York 10036-2714  
(212) 277-6500  
Attorney for Applicant

DOCSNY-247533v01



*[Handwritten mark]*

PTO/SB/22 (09-06)  
Approved for use through 03/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> <b>FY 2006</b> <small>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</small>		<b>Docket Number (Optional)</b> X2007.0147																									
<b>Application Number</b> 10/736,618-Conf. #4069		<b>Filed</b> December 17, 2003																									
<b>For</b> SURFACE MOUNT CHIP PACKAGE																											
<b>Art Unit</b> 2814		<b>Examiner</b> D. P. Nguyen																									
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.</p> <p>The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):</p> <table style="width: 100%; border-collapse: collapse;"><thead><tr><th style="width: 40%;"></th><th style="width: 15%; text-align: center;"><u>Fee</u></th><th style="width: 15%; text-align: center;"><u>Small Entity Fee</u></th><th style="width: 30%;"></th></tr></thead><tbody><tr><td><input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))</td><td style="text-align: center;">\$120</td><td style="text-align: center;">\$60</td><td style="text-align: right;">\$ 120.00</td></tr><tr><td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td><td style="text-align: center;">\$450</td><td style="text-align: center;">\$225</td><td style="text-align: right;">\$ _____</td></tr><tr><td><input type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td><td style="text-align: center;">\$1020</td><td style="text-align: center;">\$510</td><td style="text-align: right;">\$ _____</td></tr><tr><td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td><td style="text-align: center;">\$1590</td><td style="text-align: center;">\$795</td><td style="text-align: right;">\$ _____</td></tr><tr><td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td><td style="text-align: center;">\$2160</td><td style="text-align: center;">\$1080</td><td style="text-align: right;">\$ _____</td></tr></tbody></table> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>50-2215</u>.</p> <p>I am the <input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).</p> <p><input type="checkbox"/> attorney or agent of record. Registration Number _____</p> <p><input checked="" type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 <u>38,586</u></p> <p><u>Joseph W. Ragusa</u> _____ February 21, 2007 Signature Date</p> <p><u>Joseph W. Ragusa</u> _____ (212) 277-6584 Typed or printed name Telephone Number</p> <p><small>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</small></p> <p><input type="checkbox"/> Total of <u>1</u> forms are submitted.</p>					<u>Fee</u>	<u>Small Entity Fee</u>		<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ 120.00	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____	<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ _____	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ _____
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<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ _____																								

Adjustment date: 05/18/2007 SFELEKE1  
02/22/2007 SZEWDIE1 00000093 10736618  
01 FC:1251 -120.00 DP

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~~01 FC:1251 -120.00 DP~~

Refund Ref:  
05/18/2007 0030040836

Credit Card Refund Total: \$120.00

Docket No.: 050212-0191

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 20277  
Toshiaki OKUNO, et al. : Confirmation Number: 2297  
Application No.: 09/781,564 : Group Art Unit: 2613  
Filed: February 13, 2001 : Examiner: Dzong D. Tran  
For: OPTICAL TRANSMISSION SYSTEM AND METHOD

**REQUEST FOR REFUND**

Mail Stop Refund  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

A refund in the amount of \$500.00 is hereby requested in the above-identified application for the following reason:

Applicant's were charged a \$500.00 Appeal Brief Fee, cost code 185. Applicant's filing of a Second Substitute Appeal Brief on January 29, 2007 was responsive to a PTO Communication dated January 24, 2007 and was timely filed and did not incur any PTO fees/costs. Applicant's had previously authorized the Appeal Brief fee of \$500.00 with the original filing of the Appeal Brief on February 8, 2005. The Appeal Brief Fee charged under cost code 185 on or about January 30, 2007 is a duplicate charge and applicant's request a refund to be issued to Deposit Account No. 500417.

WDC99 1391595-1.050212.0191

Application No.: 09/781,564

Please immediately credit Deposit Account number 500417 in this amount.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP




Brian K. Scidleck  
Registration No. 51,321

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 BKS:ldw  
Facsimile: 202.756.8087  
Date: May 9, 2007

Please recognize our Customer No. 20277  
as our correspondence address.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. 571.273.6500, on May 9, 2007.  
  
Nona D. Williams



Docket No.: 50212-191

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of	:	Customer Number: 20277
Toshiaki OKUNO, et al.	:	Confirmation Number: 2297
Application No.: 09/781,564	:	Tech Center Art Unit: 2633
Filed: February 13, 2001	:	Examiner: Dzung D. Tran
For: OPTICAL TRANSMISSION SYSTEM AND METHOD	:	

**SUBSTITUTE APPEAL BRIEF**

Mail Stop Appeal Brief  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Appeal Brief is submitted in support of the Notice of Appeal filed December 29, 2004, wherein Appellant appeals from the Primary Examiner's rejection of claims 1-16; and in response to the Notification of Non-Compliant Appeal Brief mailed June 22, 2006. A Reply Brief was previously submitted on August 15, 2005 and included a revised Summary of the Claimed Subject Matter section, which is included in the present substitute Appeal Brief.

Adjustment date: 05/18/2007 SFELEKE1  
01/30/2007 JADD01 00000108 500417 09781564  
01 FC:1402 500.00 CR

**I. REAL PARTY IN INTEREST**

The real party in interest in this application is the assignee, Sumitomo Electric Industries, Ltd.

~~01/30/2007 JADD01 00000108 500417 09781564~~  
~~01 FC:1402 500.00 CR~~